

NOV 14 2005

PTO/SB/30 (04-05)

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/866,311-Conf. #4324
	Filing Date	May 25, 2001
	First Named Inventor	David A. Cook
	Art Unit	3745
	Examiner Name	F. D. Lopez
	Attorney Docket Number	06007/37458

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☒ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 13-2855. I have enclosed a duplicate copy of this sheet.


i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	November 14, 2005
Name (Print/Type)	Russell C. Petersen	Registration No.	53,457

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: November 14, 2005

Signature:  (Russell C. Petersen)

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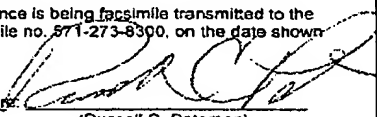
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Dated: November 14, 2005 Signature: 

(Russell C. Petersen)

Docket No.: 06007/37458  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

**David A. COOK et al.**

Application No.: 09/866,311

Confirmation No.: 4324

Filed: May 25, 2001

Art Unit: 3745

For: HYDRAULIC SYSTEM FOR  
WHEELED LOADER

Examiner: F. D. Lopez

**REQUEST FOR CONTINUED EXAMINATION**

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed you will find a Request for Continued Examination and an accompanying Information Disclosure Statement. The final office action in this application was mailed on May 19, 2005. Applicants filed a Request for Reconsideration on July 19, 2005, and within two months of the final action. The Office sent an Advisory Action on September 27, 2005. Accordingly, that date is the three-month date. Applicants filed a second Request for Reconsideration on October 26, 2005, and paid \$120.00 for a one-month extension of time. Applicants now file this Request for Continued Examination, within two months of September 27 and therefore with a Petition for Two Month Extension of Time, which would normally cost \$450.00. However, because the applicants have already paid \$120.00 in extension fees, the total fee due for the second month extension of time is \$330.00.

Application No. 09/866,311

Docket No. 06007/37458

Accordingly, Applicants file this RCE and authorize the PTO to deduct \$330.00 from the Deposit Account No. 13-2855 for the fee for the Petition for a Two Month Extension of Time as well as \$790.00 for the fee for the RCE for a total fee of \$1120.00. Applicants believes no further fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 13-2855, under Order No. 06005/37458, from which the undersigned is authorized to draw.

Dated: November 14, 2005

Respectfully submitted,

By 

Russell C. Petersen

Registration No.: 53,457

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